

81-1-A 361 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert Leo Burns legal owner...of the property, situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3B.1d (103.3 & 1A00.3B.1d) to permit a side yard setback of 39 feet (thirty-nine feet) in lieu of the required 50 feet (fifty feet).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Construct Garage on side of house under construction.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE April 13, 1980
ORDER RECEIVED FOR FILING
DATE April 13, 1980
By Robert L. Burns
Contract purchaser
Address 4301 Wilkens Ave. 21229
Baltimore Md. 21229
Petitioner's Attorney
Protestant's Attorney
Zoning Commissioner of Baltimore County.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of April, 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of July, 1980, at 9:30 o'clock A.M.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Robert Leo Burns
4301 Wilkens Avenue
Baltimore, Maryland 21229

RE: Item No. 207
Petitioner - Robert Leo Burns
Variance Petition

Dear Mr. Burns:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This Variance is required as a result of your proposal to construct an addition to the side of the recently constructed dwelling on this property. A similar request was granted for the property immediately to the east of this site as a result of Case No. 90-94-A.

Particular attention should be afforded to the comments of the Health Department.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing, scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. RISTEL, P.E.
DIRECTOR

May 20, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #207 (1979-1980)
Property Owner: Robert L. Burns
5/8 Stockton Rd. 850' E. Cooper Rd.
Existing Zoning: RC 2
Proposed Zoning: Variance to permit a side setback of 39' in lieu of the required 50'.
Acres: 1.033 District: 10th

At Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property is Lot 1 of the plat "Flora Property", recorded E.H.K., Jr. 40, Folio 81.

Highways:

Stockton Road, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. The required highway right-of-way widening and reversible easement for slopes are shown on the aforesaid recorded plat.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #207 (1979-1980)
Property Owner: Robert L. Burns
Page 2
May 20, 1980

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite water supply and sewage disposal facilities.

This property is tributary to Loch Raven Reservoir and beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-11A, as amended, respectively, indicate "No Planned Service" in the area.

Very truly yours,

Elsworth N. Diver, P.E.
ELSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley, J. Somers

EE-SW Key Sheet
87 & 88 NE 7 & 8 Pos. Sheets
NE 22 B Topo Sheet
35 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

June 3, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #207, Zoning Advisory Committee Meeting, April 22, 1980, are as follows:

Property Owner: Robert L. Burns
Location: S/S Stockton Road 850' E. Cooper Road
Existing Zoning: RC-2
Proposed Zoning: Variance to permit a side setback of 39' in lieu of the required 50'.
Acres: 1.033
District: 10th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
13011 454 3550

STEPHEN E. COLLINS
DIRECTOR

May 8, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment on Items 204, 207, and 208 of the Zoning Advisory Committee Meeting of April 22, 1980.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineer Associate II

MSF/hmd



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

May 14, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #207, Zoning Advisory Committee Meeting of April 22, 1980, are as follows:

Property Owner: Robert L. Burns
Location: 5/8 Stockton Rd. 850' E. Cooper Rd.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a side setback of 39' in lieu of the required 50'.
Acres: 1.033
District: 10th.

The existing dwelling is served by a private water well and sewage disposal system. The proposed garage will not interfere with the location of either the well or sewage disposal system. Prior to occupancy approval, the potability of the water supply must be verified by collection of a bacteriological water sample.

Very truly yours,

Don J. Roop
Don J. Roop, Director
BUREAU OF ENVIRONMENTAL SERVICES

107/LW

ORDER RECEIVED FOR FILING

DATE August 13, 1980
BY John D. Seyffert

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of August, 1980, that the herein Petition for Variance to permit a side yard setback of thirty-nine feet in lieu of the required fifty feet, for the expressed purpose of constructing an enclosed garage to be attached to the existing dwelling, should be and the same is GRANTED, from and after the date of this Order. Subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Stockton Rd., 850' :
E of Cooper Rd., 10th District : OF BALTIMORE COUNTY

ROBERT LEO BURNS, Petitioner : Case No. 81-1-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 20th day of June, 1980, a copy of the foregoing Order was mailed to Mr. Robert L. Burns, 4301 Wilkens Avenue, Baltimore, Maryland 21229, Petitioner.

John W. Hession, III
John W. Hession, III



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

May 15, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Robert L. Burns

Location: S/S Stockton Road 850' E Cooper Road

Item No: 207 Zoning Agenda: Meeting of April 22, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *Paul H. Rencke* Noted and Approved: *George M. Hammond*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: April 23, 1980

FROM: Charles E. Burnham
Zoning Advisory Committee
SUBJECT: Meeting of April 22, 1980

ITEM NO. 204 No Comments.
ITEM NO. 205 Open storage - No Comment.
ITEM NO. 206 See Comments.
ITEM NO. 207 Standard Comments Only.
ITEM NO. 208 See Comments.
ITEM NO. 209 See Comments.

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: April 17, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: April 22, 1980

RE: Item No: 204, 205, 206, 207, 208, 209
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

PETITION FOR VARIANCE

10th District

ZONING: Petition for Variance for side yard setback

LOCATION: South side of Stockton Road, 850 feet East of Cooper Road

DATE & TIME: Tuesday, July 1, 1980 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 39 feet in lieu of the required 50 feet

The Zoning Regulation to be accepted as follows:

Sections 1A01.3D.1d (103.3 & 1A00.3B.3) - Area Regulations

All that parcel of land in the Tenth District of Baltimore County

Being the property of Robert Leo Burns, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, July 1, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

DESCRIPTION

Beginning at a point on the south side of Stockton Road, 850 feet east of Cooper Road and known as Lot 1 of the Flora property, as recorded among the land records of Baltimore County in Plat Book 40, Folio 81.

Also known as 2815 Stockton Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner Date: June 24, 1980

FROM: John D. Seyffert, Director
Office of Planning and Zoning

SUBJECT: Petition No. 81-1-A Item 207

Petition for Variance for side yard setback
South side of Stockton Road, 850 feet East of Cooper Road
Petitioner - Robert Leo Burns

Tenth District

HEARING: Tuesday, July 1, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:ab

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 23, 1980

Mr. Robert L. Burns
4301 Wilkens Avenue
Baltimore, Maryland 21229

RE: Petition for Variance
S/S Stockton Rd., 850' E of Cooper Rd
Case No. 80-1-A

Dear Sir:

This is to advise you that \$11.75 is due for
advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and
remitt to Sandra Jones, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:ej

Jun 4, 1980

Mr. Robert L. Burns
4301 Wilkens Avenue
Baltimore, Maryland 21229

NOTICE OF HEARING

RE: Petition for Variance - S/S Stockton Road, 850' E of Cooper Road
Case No. 80-264-A 81-1-A

TIME: 9:30 A.M.

DATE: Tuesday, July 1, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

August 13, 1980

Mr. Robert L. Burns
4301 Wilkens Avenue
Baltimore, Maryland 21229

RE: Petition for Variance
S/S of Stockton Road, 850' E of
Cooper Road - 10th Election
District
Robert Leo Burns - Petitioner
NO. 81-1-A (Item No. 207)

Dear Mr. Burns:

I have this date passed my Order in the above referenced matter in ac-
cordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachment

cc: John W. Hession, III, Esquire
People's Counsel

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10 Date of Posting 6/16/80
Posted for: Petition for Variance
Petitioner: Robert Leo Burns
Location of property: S/S Stockton Rd., 850' E of Cooper Rd.
Location of Sign: front of property (22.15 Stockton Rd.)
Remarks:
Posted by: *Blair L. Hammon* Date of return: 6/18/80
Signature

Mr. Robert Leo Burns
4301 Wilkens Avenue
Baltimore, Maryland 21229

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 22nd day
of April, 1980.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Robert Leo Burns

Petitioner's Attorney

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD June 12, 1980

THIS IS TO CERTIFY that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., on the 12th day of
June, 1980, before the 1st day of July, 1980, the first publication
appearing on the 12th day of June, 1980.

THE JEFFERSONIAN
B. Frank Shropshire
Manager.

Cost of Advertisement, \$

PETITION FOR VARIANCE
10th DISTRICT

ZONING: Petition for Variance for
side yard setback.
LOCATION: South side of Stockton
Road, 850 feet East of Cooper
Road.
DATE & TIME: Tuesday, July 1,
1980 at 9:30 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing on the Petition for Variance to permit a
side yard setback of 39 feet in lieu
of the required 50 feet.
The Zoning Regulations to be ex-
cepted are as follows:
Sections 1A01.2B.1d (102.3 & 1A00-
3B.1) - Area Regulations.
All that parcel of land in the
Tenth District of Baltimore County
beginning at a point on the south
side of Stockton Road, 850 feet east
of Cooper Road and known as Lot 1
of the Flors property, as recorded
among the land records of Baltimore
County in Plat Book 40, Folio 31.
Being the property of Robert Leo
Burns, as shown on plat plan filed
with the Zoning Department.
Hearing Date: Tuesday, July 1,
1980 at 9:30 A.M.
Public Hearing: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland.
By order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
June 12.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 9th day of June, 1980.

Filing Fee \$ 25.00 Received: ☒ Check
☐ Cash
☐ Other

207

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Robert Leo Burns Submitted by Robert Leo Burns

Petitioner's Attorney Reviewed by *William E. Hammond*

*This is not to be interpreted as acceptance of the Petition for assignment of a
hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>01</i>	Revised Plans:									
Previous case: <i>80-944</i>	Change in outline or description Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>									
	Map # <i>adjoning property</i>									

PETITION FOR
VARIANCE

10th District
Zoning Petition for Variance
for side yard setback.
Location: South side of
Stockton Road, 850 feet East of
Cooper Road.
Date & Time: Tuesday, July 1,
1980 at 9:30 A.M.
Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.

The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and
Regulations of Baltimore
County, will hold a public
hearing on the Petition for Variance to
permit a side yard setback of 39
feet in lieu of the required 50
feet.

The Zoning Regulation to be
excepted as follows:
Sections 1A01.2B.1d (102.3
and 1A00.3B.3) - Area
Regulations.
All that parcel of land in the
Tenth District of Baltimore
County
beginning at a point on the
south side of Stockton Road,
850 feet east of Cooper Road
and known as Lot 1 of the Flors
property, as recorded among
the land records of Baltimore
County in Plat Book 40, Folio
31.
Also known as 2815 Stockton
Road.
Being the property of Robert
Leo Burns, as shown on plat
plan filed with the Zoning
Department.
Hearing Date:
TUESDAY, JULY 1, 1980
AT 9:30 A.M.
Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
BY ORDER OF
WILLIAM E. HAMMOND
Zoning Commissioner
of Baltimore County

The Essex Times

Essex, Md., June 12, 1980

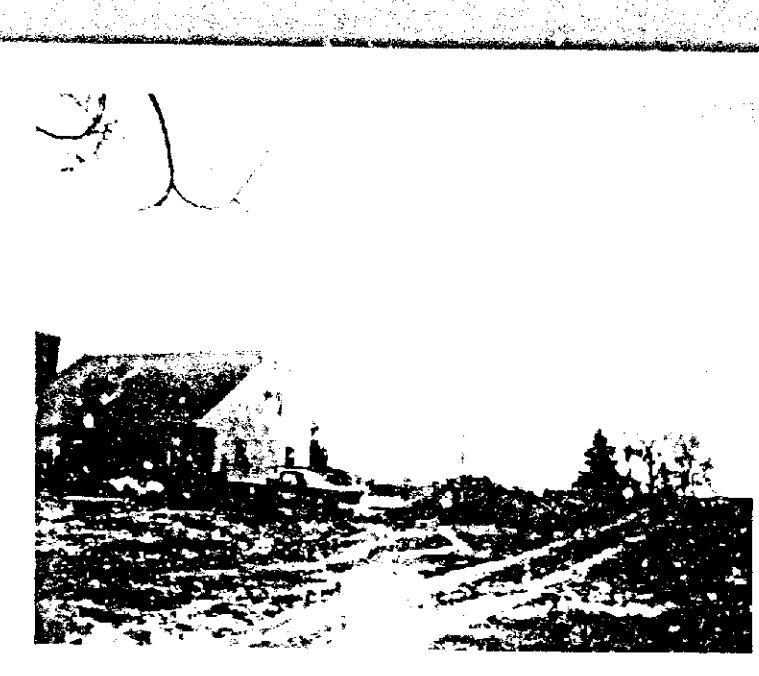
This is to Certify, That the annexed

Petition
Burns

was inserted in The Essex Times, a newspaper
printed and published in Baltimore County, once in

each of one successive
weeks before the 12th day of

June, 1980.
W. J. Wilkins Publisher.



No 088838

BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN. & ADMIN. DIVISION
MISCELLANEOUS CASH RECEIPT

DATE June 1, 1980 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED BY Robert L. Burns

FOR Filing Fee for Case No. 80-264-A

25.00

VALIDATION OR SIGNATURE OF CARRIER

No 088613

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 1, 1980 ACCOUNT 01-662

AMOUNT \$11.75

RECEIVED BY Robert Burns

FOR Advertising and Posting for Case No. 81-1-A

4175

VALIDATION OR SIGNATURE OF CARRIER

